

City of Palm Bay, Florida

BAYFRONT COMMUNITY REDEVELOPMENT AGENCY Regular Meeting 2019-03

Held on Tuesday, the 21st day of May 2019, at City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Bayfront Community Redevelopment Agency Office, City Hall Annex, Palm Bay, Florida.

The meeting was called to order by Chairperson Capote at approximately 7:00 p.m.

ROLL CALL:

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| CHAIRPERSON: | William Capote | Present |
| VICE-CHAIRPERSON: | Brian Anderson | Present (Late) |
| COMMISSIONER: | Harry Santiago, Jr. | Present |
| COMMISSIONER: | Jeff Bailey | Present |
| COMMISSIONER: | Kenny Johnson | Present |
| COMMISSIONER: | James Ritter | Present |
| COMMISSIONER: | Aaron Parr | Present |
| BAYFRONT CRA ATTORNEY: | Jennifer Cockcroft | Present |

STAFF MEMBERS:

Joan Junkala, Bayfront CRA Administrator; Lisa Morrell; City Manager; Andy Anderson, Economic Development & External Affairs Director, Patricia Foutt, Agency Secretary

CONSENT AGENDA:

Commissioner Bailey stated he had spoken with staff and requested the minutes format be amended to a vertical format when the votes were not unanimous to clearly account for each board member vote.

Vice-Chairperson Anderson arrived at the meeting at this time.

ADOPTION OF MINUTES:

Motion by Commissioner Bailey, seconded by Commissioner Johnson, to approve the minutes with the format change requested by Commissioner Bailey for meeting minutes going forward. Motion carried unanimously.

PUBLIC COMMENTS (NON-AGENDA ITEMS):

John Mongioi, resident, spoke regarding the derelict vessel situation. He stated he had previously worked with the issue as Chairman of the Marine Advisory Council and now

worked as an individual in the Bayfront. He said the Palm Bay Police Department were trained to identify the derelict vessels; however, per Lt. Bandish of the Palm Bay Police Department, they were not ready to execute the removal of the vessels. He said there were currently five (5) derelict vessels and that if the Florida Wildlife Commission (FWC) had started their investigation of the derelict vessels, the FWC were required to finish the removal process. He discussed the FWC time table and the changes that had been made for the removal of derelict vessels to shorten the time frame from which vessels were cited to when they could be removed. He requested to see Palm Bay's procedure after it had been completed and stated that the Palm Bay Police Department needed to be officially up and running in order to start removal procedures for any new vessels. He said the Bayfront CRA needed to work with the FWC to stay current on any updates and ensure the FWC followed the time tables for removal of the vessels. Mr. Mongioi stated he had provided several names to Ms. Junkala to help the FWC move forward. He said he wanted to get the FWC grant money that was available to aid in the removal of the derelict vessels. He said that FWC had \$800,000 as of early May and that Brevard County had committed funds to remove every vessel in the County. He stated that no funds from the City of Palm Bay were needed for the removal of the derelict vessels; however, clearance paperwork from the FWC is needed before the derelict vessel could be removed.

Maryann Civil, resident, congratulated the Bayfront CRA staff on getting the past minutes completed. She stated that some items that had been brought up at previous meetings had not been brought up again. She said that some of the outstanding issues were the quitclaim deed for the Pelican Harbor Marina, the status of marketing the Marina, the status of the Steamboat Landings properties, discussion with All Aboard Florida (Virgin Trains) regarding the pedestrian walkway under the railway bridge, the status of the Florida Inland Navigation District (FIND) grant, the Marina lease with Paddling Paradise, and the lack of backup information on the website.

Ms. Junkala responded that not all documents were ADA compliant, but were available through a public records request via email. She advised Ms. Civil that documents could be made available on OneDrive and she could provide a link for download.

PRESENTATIONS:

- 1. Michael Melhado, Vintage Redevelopment Group – Pelican Harbor Marina**

Mr. Junkala introduced Michael Melhado of the Vintage Redevelopment Group and stated that Mr. Melhado had expressed interest in the Pelican Harbor Marina and the adjacent site owned by the Bayfront CRA.

Mr. Melhado said the Vintage Redevelopment Group had been interested in the Pelican Harbor Marina for approximately the last five (5) years and were one (1) of two (2) groups that responded to the Request for Information (RFI) that went out in 2016.

He presented his concept of the Bayfront as a Fisherman's Village with an entertainment center to be completed in two (2) phases. He said the first phase consisted of a destination waterfront restaurant that utilized the Marina and the existing building at the Marina. The second phase consisted of an event center and would continue with a retail center.

Mr. Melhado stated that the highlights of the presentation included a realistic vision that could be implemented in a short period of time. Mr. Melhado suggested that the property fronting Turkey Creek should be maintained for public access utilizing a boardwalk whether through an easement or other means. Mr. Melhado further stated that this private development would return the property to the tax rolls, generate new jobs and additional sales tax revenues, and serve as the beginning of private investment and activity in the Bayfront redevelopment area.

Chairperson Capote asked how the different phases were developed. Mr. Melhado stated the first phase consisted of building off of the existing marina building and the conversion of the building to a restaurant property. Chairperson Capote asked Mr. Melhado if he had a commitment for a restaurant. Mr. Melhado responded that Thornado Hospitality, LLC would operate the restaurant and currently operates River Rocks, Island Pasta Company, and Capt'n Butchers in Sebastian, Florida. Chairperson Capote asked Mr. Melhado if he would see how the first phase was before he committed to a second phase. Mr. Melhado responded that it depended on the acquisition structured, whether land lease, straight acquisition of a public-private partnership (P3).

Chairperson Capote, Vice-Chairperson Anderson, and Commissioner Santiago stated they liked the concept. Commissioner Bailey stated he supported the idea and felt the purchase of the property was the best avenue. Commissioner Ritter stated he would like to see the outright purchase of the property as well and felt it was a great concept.

Commissioner Parr stated he liked the concept and agreed that the full sale of the property would be the best and easiest option.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

1. Bayfront CRA 2018 Annual Report

Ms. Junkala stated the Bayfront CRA 2018 Annual Report was filed with the City of Palm Bay City Clerk's office on March 29, 2019, per Florida Statute 163, Part III. She said the Annual Report was filed with unaudited financial statements since the Comprehensive Annual Financial Report (CAFR) audit had not been completed. She stated that once the CAFR audit had been completed, the Bayfront CRA 2018 Annual Report with the audited financial statement would be re-filed with the City of Palm Bay's City Clerk and published online. She said the Annual Report was confirmed with Brevard County Commission at the regular meeting held on May 7, 2019 and will go before Palm Bay City Council on June 6, 2019.

Recommendation by Ms. Junkala that the Bayfront CRA Board acknowledge and accept the 2018 Bayfront CRA Annual Report as provided to the City of Palm Bay City Clerk's Office.

Motion by Vice-Chairperson Anderson to acknowledge and accept the 2018 Bayfront CRA Annual Report, seconded by Commissioner Bailey. Motion carried unanimously.

2. Consideration of prepayment of 2006 Bond Proceeds

Recommendation by Ms. Junkala to approve staff to initiate prepayment of the 2006 Bond Proceeds by applying current unused proceeds in the amount of \$988,000 toward the principal balance of \$2.13 million. Ms. Junkala stated that the prepayment of the Bond would provide a savings of nearly \$180,000 in interest and allow the CRA to pay off the Bond two years early, by 2022.

Motion by Vice-Chairperson Anderson, seconded by Commissioner Santiago, to approve the consideration of prepayment of the 2006 Bond Proceeds.

Commissioner Bailey asked if consideration had been given to paying off more. Vice-Chairperson stated the issue could be revisited next year.

Motion carried unanimously.

COMMISSIONER REPORTS:

Commissioner Ritter commented that he had spoken with previous administration about the overgrown grass and the removal of a bougainvillea in the right-of-way at the Bayfront CRA's property at 1582 Water Drive. He said the previous administration had contacted Public Works and that the mowing was not on the agenda but would be added with time and a half overtime pay. He stated he had mentioned the situation to Lisa Morrell, City Manager, in January. Ms. Morrell responded that Public Works would mow the property and that there was no chargeback to the Bayfront CRA.

Commissioner Johnson asked what steps needed to be taken to remove the City Council from the Bayfront CRA Board and appoint others to the Board. He said he believed it was redundant to sit on both the Bayfront CRA Board and City Council. Commissioner Bailey asked if Commission Johnson meant reinstituting the citizen aspect of the Bayfront CRA Board. Mr. Ritter stated that previously there was a seven (7) member board, but that City Council voted to make the City Council the Bayfront CRA Board. Commissioner Bailey stated he felt there was an advantage to having the citizen aspect of the Board and their participation in the process. He stated he favored returning to the previous Board format, and that it would take an ordinance change by City Council. Commissioner Parr asked if it was possible that the decision could be made by each Council member to serve or have an elected appointee. Chairperson Capote stated it still had to go before City Council.

Chairperson Capote stated the suggestion was made by the previous Bayfront CRA Board to bring the issue to Council for their response.

Vice-Chairperson Anderson explained the board structure was changed to allow for the elimination and duplication of steps by the City Council serving on the Bayfront CRA Board.

Commissioner Santiago stated the reason the Bayfront CRA Board was changed to include City Council was for more efficiency due to the impending sunset date of the CRA.

Commissioner Ritter stated he had been opposed to disbanding the Bayfront CRA Board. He stated that there were previously twelve (12) meetings per year, but that after the City Council became the Board members, meetings had been changed to quarterly.

Commissioner Santiago asked Ms. Junkala if monthly meetings were warranted. Ms. Junkala responded that quarterly meetings were sufficient and special meetings could be scheduled as required. She stated that by-laws would need to be amended if the Board chose to schedule monthly meetings. Chairperson Capote stated he did not feel monthly meetings were necessary and agreed with scheduling special meetings when required.

Chairperson Capote asked for a consensus to bring the issue back to City Council. Commissioner Johnson replied that he would like to bring the issue back to Council.

Commissioner Parr stated that Board members were not required to live or work in the area and felt that it took away from the community. He felt that it would be goodwill toward the community if more community members served on the Bayfront CRA Board.

Ms. Junkala stated she would work with the City Clerk's office to determine the necessary steps for taking the issue back to the City Council for discussion.

Commissioner Bailey reminded the Board that the CRA would sunset this year, but they were in active discussions with Brevard County regarding Memorandums of Understanding (MOUs), which affected or included the CRA.

Vice-Chairperson Anderson asked for clarification of the sunset of the CRA. Chairperson Capote responded the CRA had five (5) years before sunset.

OTHER AGENCY BUSINESS:

1. Staff Report

- The Bayfront CRA Part-time Administrative Secretary submitted her resignation effective May 31, 2019.
- A Business Continuity Workshop for disaster preparedness was planned in coordination with the Greater Palm Bay Chamber of Commerce and the Small Business Development Center for July 18, 2019 at Eastern Florida State College from 9:00 am to 12:00 pm.
- Staff has made inquiries regarding the repair of the monolith at Highway US 1 and Port Malabar Boulevard NE. City staff is working to identify necessary repairs and seeking quotes to be presented to the Bayfront CRA Board for consideration at a later meeting.
- Bayfront CRA and Public Works are working together to move the Living Shoreline forward. 80% plans were received from BKI Consulting Ecologists for the design and engineering of mangroves and oyster bags at Highway US 1. The Bayfront CRA is awaiting further discussions with Florida Department of Transportation (FDOT) before moving forward with permitting since the majority of the Living Shoreline project is located within FDOT right-of-way. FDOT's cooperation and permission is needed to install mangrove and oyster bags within their right-of-way.
- The quitclaim deed on the Pelican Harbor Marina was held off due to the conversations with the County regarding the Interlocal Agreement. Ms. Junkala noted that House Bill 9 cited that a CRA could not sunset earlier than the payment of existing bond debt. A draft Request for Proposal (RFP)

for brokerage services that specialized in waterfront development for proper marketing of the marina properties has been provided to Procurement.

- Paddling Paradise is operating out of the building located on the Pelican Harbor Marina property. Ms. Junkala stated that it is her understanding that there is no formal lease agreement in place, and a meeting has been scheduled to discuss a draft lease agreement and reasonable rent based on comps.
- The Eagle Scout project at Castaway Point Park was completed on Saturday, May 18th. Colben Maher had nine (9) volunteers who worked approximately twenty-seven (27) hours. The volunteers pulled weeds and other undesirable vegetation and put down mulch and planted clusia, an alternative to sea grapes. The Parks and Recreation Department vetted and approved all improvements to Castaway Point Park prior to the work. A final presentation and request for reimbursement is scheduled for the Bayfront CRA Regular Meeting on July 23, 2019.
- Five (5) derelict vessels were identified in the Bay. All vessels were cited by FWC; therefore, Palm Bay Police Department is unable to take further action. The derelict vessels included one (1) vessel stickered on April 20, 2019; one (1) vessel stickered on May 3, 2019; one (1) vessel with a public hearing scheduled for June; one (1) vessel with under new ownership which FWC has since issued a new citation; and one (1) that had been declared derelict by Palm Bay Police Department, which later became operational and afloat; however, had begun to take on water and has been declared derelict again by FWC.

ADJOURNMENT:

The meeting was adjourned at approximately 7:55 pm

William Capote, CHAIRPERSON

Patricia Foutt, AGENCY SECRETARY